

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NO. 05-30074-MAP

TAMMY WALKER,)
Plaintiff)
)
v.)
)
CITY OF HOLYOKE,)
Defendant)

**DEFENDANT'S MOTION TO COMPEL
PLAINTIFF'S PRODUCTION OF DOCUMENTS**

NOW COMES the defendant, City of Holyoke, and hereby moves, pursuant to Rule 37(a)(2), that this Court order plaintiff Tammy Walker to produce documents requested, pursuant to Rule 34. In support of its motion, the defendant states:

1. On November 7, 2005, the defendant served, pursuant to Rule 34, a Request for Production of Documents upon the pro se plaintiff, Tammy Walker, 6 Clark Street, Holyoke, Massachusetts.
2. On December 27, 2005, the defendant informed Tammy Walker her response to defendant's document requests were overdue and requested she forward them to our office within ten days. (Please see correspondence attached hereto as Exhibit A.)
3. On January 12, 2006, the defendant served, for the second time, the above-referenced document requests upon the pro se plaintiff, Tammy Walker, 6 Clark Street, Holyoke, Massachusetts. (Please see correspondence attached hereto as Exhibit B.)

4. The 30-day period permitted by Rule 34 has expired, but the plaintiff has failed to file a written response, and has failed to produce the documents requested.
5. The documents described in said Request are properly subject to discovery within the scope of Rules 26(b) and 34, and are described with reasonable particularity.

WHEREFORE, the defendant, City of Holyoke, prays for an order compelling the plaintiff to produce the discovery requested within 14 days.

The Defendants,
CITY OF HOLYOKE,

By Its Attorneys
MORRISON MAHONEY LLP



Carole Sakowski Lynch, BBO# 547718
1500 Main Street, Suite 2400
P.O. Box 15387
Springfield, MA 01115-5387
(413) 737-4373
(413) 739-3125 (Fax)

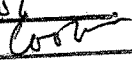
I hereby certify that this document, filed through the ECF System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on 5/8/06 

EXHIBIT A

MORRISON MAHONEY LLP

COUNSELLORS AT LAW

Carole Sakowski Lynch
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clynch@morrisonmahoney.com

TOWER SQUARE
1500 MAIN STREET
SUITE 2400, POST OFFICE BOX 15387
SPRINGFIELD, MASSACHUSETTS 01115-5387
413-737-4373
FACSIMILE: 413-739-3125

MASSACHUSETTS	NEW HAMPSHIRE
BOSTON	MANCHESTER
FALL RIVER	NEW JERSEY
SPRINGFIELD	PARSIPPANY
WORCESTER	NEW YORK
CONNECTICUT	NEW YORK
HARTFORD	
ENGLAND	RHODE ISLAND
LONDON	PROVIDENCE

December 27, 2005


Tammy Walker
6 Clark Street
Holyoke, MA 01040

Re: Tammy Walker v. City of Holyoke
Docket No.: 05-30074-MAP
Our File No.: 10007547

Dear Ms. Walker:

Please be advised that interrogatories and a request for production of documents were mailed to you on November 7, 2005. Your responses were due on December 10, 2005. Would you kindly forward the responses within the next ten days. If I do not receive the responses within that time, I will have no alternative but to file a motion to compel.

Very truly yours,



Carole Sakowski Lynch

CSL/esf

Cc: Karen Betournay
Peter Roxo

EXHIBIT B

MORRISON MAHONEY LLP

COUNSELLORS AT LAW

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Carole Sakowski Lynch
Phone: 413-737-4373 Ext. 1233
clynch@morrisonmahoney.com

January 12, 2006

Tammy Walker
6 Clark Street
Holyoke, MA 01040

Re: Tammy Walker v. City of Holyoke
Docket No.: 05-30074-MAP
Our File No.: 10007547

Dear Ms. Walker:


Enclosed please find a copy of the following which were previously mailed to you November 7, 2005:

1. Request of the Defendant, City of Holyoke, for Production of Documents by the Plaintiff, Tammy Walker;
2. Interrogatories Propounded by the Defendant, City of Holyoke, to be Answered Under Oath by the Plaintiff, Tammy Walker.

Your discovery responses will be due on February 14, 2006.

Also, I am enclosing a copy of the Defendants' Initial Disclosure Pursuant to Rule 26(a)(1) which was mailed to Attorney Saperstein on July 13, 2005.

Very truly yours,


Carole Sakowski Lynch

CSL/esf
Enclosures
CERTIFIED MAIL NO. 7003 1010 0000 3240 6313
RETURN RECEIPT REQUESTED